

"Flag Week," and Tuesday, June 14, as "Flag Day"; and

WHEREAS, In view of the turmoil existing in Europe today, every American citizen should feel proud and grateful that our Nation is so well preserved; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT, in observance of the aforementioned occasion, we, in our individual capacities and on behalf of the citizens of this City, pay tribute to our beloved flag and all that it represents of freedom and democracy.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Upon motion, seconded and carried, the meeting was recessed at 11:30 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hallie McKeen
City Clerk.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 15, 1939.

The City Council of the City of Austin, Texas, convened in regular session, at the regular meeting place in the Municipal Building, on June 15, 1939, at 10:30 A.M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, NONE.

The reading of the Minutes was dispensed with.

A committee from the Austin Lulac Council No. 85 presented a petition asking that separate wards be provided at Brackenridge Hospital for Mexicans and Negroes. The matter was taken under advisement.

A committee of citizens presented a petition from the citizens of North East Austin, asking that storm and sanitary sewers be provided for that section of the City. The petition was received, and the committee was advised that this work was listed as a WPA Project and would be done this fall.

Mrs. Louis Ramella, 400 Rio Vista Street, submitted a complaint against the continuous operation of a gravel pit on the Colorado River bank between Arlington and Atlanta Streets. The matter was referred to the Legal Department to determine what relief, if any, could be given.

The Mayor announced that, in accordance with published notice thereof, the public

hearing called for this day on the proposal of the City Council to amend the Zoning Ordinance in the following particulars would now be opened:

To amend the USE District Map of the City of Austin by extending the "C-2" Commercial District on Colorado Street between West Seventh and West Eighth Streets to include Lots 7 and 8, Block 82, Original City, in the City of Austin, Texas.

No one appearing to protest the proposed change, Councilman Wolf moved that the City Attorney be instructed to prepare the necessary ordinance. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mr. Henry Maerki appeared before the Council relative to the topping of Duval Street. The City Engineer reported that this work would be done as soon as the water line is laid.

Councilman Wolf moved that Wallace Eugene Glass, 1513 East Second Street, be granted a taxicab driver's permit, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced the following resolution and moved its adoption. The motion was seconded by Councilman Bartholomew, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the resolution had been finally passed.

The resolution is as follows:

WHEREAS, the City Council is in receipt of a resolution by the Board of Trustees of the Austin Independent School District recommending acceptance of the following contracts under PWA Docket 2134-F:

Contract #25,	R. H. Folmar -	Rosewood School Addition
" #30,	Young & Pratt	Rosewood School Plumbing & Heating
" #31,	Fox-Schmidt	Rosewood School Electric

copy of which resolution is attached hereto and made a part hereof; and

WHEREAS, the Council is in receipt of a further resolution recommending acceptance of:

Contract #58, Spiller-Miller- Heating & Plumbing for Bickler and Kealing Schools

copy of which is also attached hereto and made a part hereof; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the contracts described above under Docket Texas 2134-F, being Numbers 25, 30, 31, and 58, be, and the same are hereby accepted, subject to approval by PWA, and the City Manager is hereby authorized and instructed to execute any necessary closing documents.

(Resolution School Board)

WHEREAS, the Supervising Architect's Office reports satisfactory completion, according to plans and specifications, of the following contracts, and recommends final acceptance of the same:

Contract No. 25 - R. H. Folmar, Contractor for General Construction, Addition to Rosewood School.

Contract No. 30 - Young & Pratt, Contractor for Plumbing and Heating, Addition to Rosewood School; and

Contract No. 31 - Fox-Schmidt, Contractor for Electric Work, Addition to Rosewood School;

and

WHEREAS, representatives of the Chairman of the Building Committee of the Board of Trustees of the Austin Independent School District concur in the recommendation of acceptance of the three above-listed contracts; now, therefore,

BE IT RESOLVED By the Board of Trustees of the Austin Independent School District that final acceptance be and the same is hereby recommended to the City Council of the City of Austin, acting for and in behalf of the Austin Independent School District.

I, Cousins Gregg, Secretary to the Superintendent of Schools, hereby certify that the above resolution was introduced and unanimously carried at a meeting of the Board of Trustees of the Austin Independent School District, held on June 12, 1939, at which the following members were present: R. G. Mueller, L. H. Blenderman, Mrs. H. P. Bybee, Carl Widen.

(Seal)

(Signed) Cousins Gregg
Secretary to Superintendent
of Public Schools, Austin,
Texas.

(Resolution of School Board)

WHEREAS, the office of the Supervising Architect advises that Contract No. 58 by Young & Pratt, for the heating and plumbing connections between Boiler House and School Building at the Bickler School and at the Kealing School, have been satisfactorily completed, according to plans and specifications, and within the specified contract time; and

WHEREAS, representatives of the Chairman of the Building Committee of the Austin Independent School District similarly recommend acceptance of said Contract No. 58; now, therefore,

BE IT RESOLVED By the Board of Trustees of the Austin Independent School District that final acceptance of contract No. 58 be and the same is hereby recommended to the City Council of the City of Austin, acting for and in behalf of the Austin Independent School District.

I, Cousins Gregg, Secretary to the Superintendent of Schools, hereby certify that the above resolution was introduced and unanimously carried at a meeting of the Board of Trustees of the Austin Independent School District, held on June 12, 1939, at which the following members were present: R. G. Mueller, L. H. Blendermann, Mrs. H. P. Bybee, Carl Widen.

(Seal)

(Signed) Cousins Gregg
Secretary to Superintendent
of Public Schools, Austin,
Texas.

Councilman Alford introduced the following resolution and moved its adoption. The motion was seconded by Councilman Wolf, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the resolution had been finally passed.

The resolution is as follows:

RESOLUTION ACCEPTING AN AMENDATORY OFFER
OF THE UNITED STATES OF AMERICA TO AID BY
WAY OF GRANT IN FINANCING A PROJECT THERE-
IN DESCRIBED

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

1. That the amendatory offer of the United States of America to the County of Travis and City of Austin, Texas, to aid by way of a grant in financing the construction of a Tuberculosis Sanatorium including necessary equipment, said amendatory offer reading as follows:

" P. W. 90024-12

FEDERAL EMERGENCY ADMINISTRATION
OF PUBLIC WORKS

Washington, D. C.
Dated: June 12, 1939
Docket No. Tex-2070-F

County of Travis and
City of Austin

Austin, Texas

The United States of America hereby offers to amend the contract created by the acceptance by the County of Travis and City of Austin, Texas, on December 15, 1938, of the Offer made by the United States of America and dated December 8, 1938, by striking out, in Line 8 of Paragraph 1 of said Offer, the figures "\$24,750" and inserting in lieu thereof the figures "\$35,798."

UNITED STATES OF AMERICA

Federal Emergency Administrator
of Public Works

By (Signed) E. W. Clark
For the Assistant Administrator.

be and the same is hereby in all respects accepted.

2. That said County of Travis and City of Austin agree to abide by all the Terms and Conditions of said offer, including the Terms and Conditions annexed thereto and made a part thereof.

3. That the City Manager be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of the proceedings of the City Council in connection with the adoption of this resolution, setting forth this resolution in full, and such further documents or proofs in connection with the acceptance of said Offer as may be requested by the Federal Emergency Administration of Public Works.

Councilman Wolf introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the resolution had been finally passed.

The resolution is as follows:

WHEREAS, the Public Works Administration has granted the formal request for an increased project cost herein, the grant totaling \$35,798; and

WHEREAS, additional time will be necessary for the completion of the project; and

WHEREAS, with this additional money it will be possible to complete the Sanatorium and furnish it as necessary to provide a place for the proper treatment of tuberculosis; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, AND BY THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS, JOINTLY:

THAT the City Manager of the City of Austin be and is hereby authorized and directed to prepare the necessary exhibits and supporting papers together with certified copy of this resolution and submit the same to the Regional Office of the

PWA as a basis for formal request that the project time on this project be extended to September 15, 1939.

BE IT FURTHER RESOLVED:

THAT the City Council of the City of Austin, together with the Commissioners Court of the County of Travis, appreciate the grant-in-aid made to Austin and surrounding territories and the many other worthwhile projects which are and will be for many years enduring evidence of the sound expenditures of public funds by the United States Government through PWA, and said PWA projects are essential and badly needed and are serving, and will serve, the people of this County for many years.

Councilman Alford introduced the following resolution and moved its adoption. The motion was seconded by Councilman Wolf, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the resolution had been finally passed.

The resolution is as follows:

WHEREAS, it was further necessary at the beginning of the project for the Austin-Travis County Sanatorium to move the location of the building site ; and

WHEREAS, this change in location met with the approval of the PWA; and

WHEREAS, the delay by this change in location, together with unforeseen and unexpected contingencies that have delayed the progress of the work; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT, by virtue of contractual powers delegated to the City of Austin that the City Manager be and is hereby authorized and directed to prepare the necessary exhibits and supporting papers, together with certified copy of this resolution, and submit same to the Regional Office of the PWA as a basis for formal request that the contract time on General Construction, Plumbing, Heating, and Electrical work be extended from the date provided in the Grant agreement to August 1, 1939. This covers the work of Will O'Connell, General Contractor, Contract #1; E. F. Lanier & Sons, Plumbing Contractor, Contract #2; Fox-Schmidt, Heating Contractor, Contract #3; and W. K. Jennings, Jr., Electrical Contractor, Contract #4.

Councilman Gillis introduced the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the following described tract of land owned by the City of Austin, a municipal corporation situated in Travis County, Texas, be and the same is hereby set aside and dedicated for use as a public street and thoroughfare in the City of Austin, said tract being particularly described as follows:

Containing forty-four (0.44) one-hundredths of one acre of land and being out of that certain tract or parcel of land containing 1.4 acres, as conveyed to the City of Austin by Mrs. Selma Ulit by deed of date March 20, 1939, as recorded in Volume 610, pages 524-525, of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at an iron stake in the north line of West 34th Street, the same being the south line of the aforesaid Ulit to City tract of land, and from which point of beginning another iron stake at the southwest corner of said Ulit to City tract bears N. 60°14' W. 98.06 feet, which point of beginning is the point of curvature of a curve whose intersection angle is 123°25', whose tangent distance is 55.68 feet, and whose radius is 29.97 feet;

Thence following said curving line to the left an arc distance of 64.56 feet, the long chord of which arc bears N. 58°03' E. 52.78 feet to an iron stake at the point of tangency of this curve, the same being the point of

curvature of a curve whose intersection angle is $25^{\circ}00'$, whose tangent distance is 60.40 feet, and whose radius is 272.44 feet;

Thence following said curving line to the right an arc distance of 118.87 feet, the long chord of which arc bears N. $8^{\circ}51'$ E. 117.93 feet to an iron stake at the point of tangency of this curve, the same being the point of curvature of a curve having a radius of 142.28 feet;

Thence following said curving line to the left an arc distance of 135.66 feet, the long chord of which arc bears N. $5^{\circ}58'$ W. 130.58 feet to an iron stake in the east line of Mills Avenue, the same being in the west line of the aforesaid Ulit to City 1.4 acre tract and from which iron stake another iron stake at the southwest corner of said Ulit to City tract bears S. $30^{\circ}49'$ W. 262.71 feet;

Thence following the east line of Mills Avenue and the west line of the aforesaid Ulit to City property N. $30^{\circ}49'$ E. 3.61 feet to an iron stake in the south side of State Street;

Thence following the south side of State Street and the north line of the aforesaid Ulit to City property S. $46^{\circ}05'$ E. 78.20 feet to an iron stake;

Thence continuing with the south side of State Street and the north side of the aforesaid Ulit to City property S. $23^{\circ}35'$ E. 109.12 feet to an iron stake at the point of curvature of a curve whose intersection angle is $135^{\circ}04'$, whose tangent distance is 42.42 feet, and whose radius is 17.54 feet, and from which iron stake another iron stake at the southeast corner of the aforesaid Ulit to City property bears S. $23^{\circ}35'$ E. 247.76 feet;

Thence following said curving line to the left an arc distance of 41.35 feet, the long chord of which arc bears S. $88^{\circ}53'$ W. 32.42 feet to the point of tangency of this curve and the point of curvature of a curve having a radius of 212.44 feet;

Thence following said curving line to the left an arc distance of 92.69 feet, the long chord of which arc bears S. $8^{\circ}51'$ W. 91.96 feet to an iron stake;

Thence continuing to the left with said curving line having a radius of 212.44 feet an arc distance of 126.84 feet, the long chord of which arc bears S. $20^{\circ}45'$ E. 124.96 feet to an iron stake in the north line of West 34th Street, the same being the south line of the aforesaid Ulit to City 1.4 acre tract, and from which iron stake the most southerly corner of said Ulit to City tract bears S. $60^{\circ}14'$ E. 97.10 feet;

Thence following the north side of West 34th Street and the south side of the aforesaid Ulit to City property N. $60^{\circ}14'$ W. 171.51 feet to the point of beginning.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the following described tract of land owned by the City of Austin be and the same is hereby set aside and dedicated for use as a public street and thoroughfare to be known as a part of 34th Street in the City of Austin, said tract being particularly described as follows:

Containing eighty-four one-thousandths (0.084) of one acre of land and being out of and a part of that certain tract or parcel of land containing 7.44 acres conveyed to the City of Austin by J. C. Bryant by deed of date June 10, 1927, as recorded in Volume 405, pages 83-84 of the Deed Records of Travis County, Texas, and is more particularly described by metes and bounds as follows:

Beginning at an iron stake in the most northeasterly corner of said Bryant to City tract;

Thence following the north side of said Bryant to City tract N. $59^{\circ}24'$ W. 333.3 feet to a concrete monument at the most northwesterly corner of said Bryant to City tract;

Thence S. $55^{\circ}42'$ E. 339.95 feet to an iron stake in the east line of said Bryant to City tract;

Thence following the east line of said tract and the east line of the tract of land herein described N. $15^{\circ}36'$ E. 22.6 feet to the point of beginning.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Clerk be and she is hereby authorized and directed to file this resolution in the office of the County Clerk of Travis County, Texas, giving notice to the public of the dedication for street purposes of the two tracts of land hereinabove described.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Bartholomew introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the resolution had been finally passed.

The resolution is as follows:

WHEREAS, Guiton Morgan, City Manager, in general charge of Public Works Administration projects, and G. S. Moore, in direct charge of Docket Number Texas 1847-2-F, being the project for the construction of Waterworks Improvements, have reported that the contract for the Service Station at Third and West Avenue has been completed by J. M. Odom, General Contractor, in accordance with the approved plans and specifications and in compliance with the rules and regulations of the Administration of Public Works, and in an acceptable manner to the PWA Inspector, and have recommended to the City Council the acceptance of the contract and the payment of the final estimate due thereon; and

WHEREAS, the City Council has inspected said contract and the works thereunder and is of the opinion that the same should be finally accepted; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT said contract and the works thereunder be and is hereby accepted as completed and the City Manager be and is hereby authorized and directed to approve the final estimate and to issue warrants in payment thereof, and that he be further authorized and directed to release the contractor from any further liability in connection with the said work, and to authorize cancellation of the bonds guaranteeing the successful completion of the contract, provided that the maintenance bond for roofing shall be kept in full force and effect for the period of one (1) year.

"Austin, Texas
June 15, 1939

Docket Texas-1847-2-F-4
Service Station Improve-
ments
Austin, Texas

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

A final inspection by our Inspector, Mr. D. C. Kinney; Mr. J. V. Curnutte, PWA Inspector, and the undersigned has been made at the Service Station. This contract is held by J. M. Odom, General Contractor.

This and previous inspections showed that all of the work covered by the contract and supplemental changes has been completed in accordance with the plans and specifications and in a manner acceptable to the PWA Resident Engineer Inspector. I recommend that the work be accepted in full at this time and that the final estimate be paid the contractor.

A few minor non-compliances, particularly with reference to apprentices, have been cleared by Mr. E. A. Huebner, Resident Engineer Inspector.

Respectfully submitted,

(Signed) G. S. Moore
Supervising Engineer. "

Councilman Wolf introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the resolution had been finally passed.

The resolution is as follows:

WHEREAS, at the time the bids for the construction of storm sewers and bridges for the City of Austin, being PWA Docket Number Texas 2072-F, were received, the bids did not total as much as the original estimates contained in the Grant Agreement between the Federal Emergency Administration of Public Works and the City of Austin; and

WHEREAS, there is still available approximately \$85,000.00 in this project not contracted for; and

WHEREAS, additional improvements under this project are considered essential to the needs of the City of Austin; and

WHEREAS, if at the time of the preparation of the application for this project it had been known that sufficient funds would be available to provide for additional storm sewers, the same would have been included in the original project; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and is hereby authorized and directed to prepare the necessary exhibits, cost analysis and supporting papers, together with certified copies of this resolution, and submit the same to the Regional Office of the Public Works Administration as a basis for a formal request for the inclusion of additional storm sewers in project Docket Number Texas 2072-F; and

BE IT FURTHER RESOLVED:

THAT the City Council and the City of Austin appreciate the grants-in-aid made to the City of Austin on this, and many other worthwhile projects, which are, and will be for many years, enduring evidence of the sound expenditures of public funds by the United States Government through the PWA, and said PWA projects are essential and greatly needed and are serving and will serve the people of Austin for many years .

Councilman Alford introduced the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in PECOS STREET from Meredith Street northerly 185 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Pecos Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(2) A gas main in MEREDITH STREET from Pecos Street easterly 299 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Meredith Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(3) A gas main in WEST 13TH STREET from West Lynn Street easterly approximately 7 feet, the centerline of which gas main shall be 7 feet south of and parallel to the north line of said West 13th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(4) A gas main in WEST 13TH STREET from Lorrain Street westerly approximately 66 feet, the centerline of which gas main shall be 7 feet south of and parallel to the north line of said West 13th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(5) A gas main in MARSHALL LANE across West 13th Street intersection, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Marshall Lane.

Said gas main described above shall have a covering of not less than 2½ feet.

(6) A gas main in LORRAIN STREET from West 13th Street southerly a distance of 49 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Lorrain Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(7) A gas main in EXPOSITION BOULEVARD northerly 388 feet from a point 26 feet north of the north line of Cherry Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Exposition Boulevard.

Said gas main described above shall have a covering of not less than 2½ feet.

(8) A gas main in SUNSET LANE from Burleson Road to Algarita Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Sunset Lane.

Said gas main described above shall have a covering of not less than 2½ feet.

(9) A gas main in BOULDIN AVENUE northerly 90 feet from a point 65 feet north of the north line of West Monroe Street, the centerline of which gas main shall be 18 feet east of and parallel to the west line of said Bouldin Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(10) A gas main in GARDEN STREET easterly from a point 112 feet east of the east line of Chalmers Avenue, the centerline of which gas main shall be 18 feet north of and parallel to the south line of said Garden Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(11) A gas main in GROOMS STREET northerly 68 feet from a point 136 feet north of the north line of East 33rd Street, the centerline of which gas main shall be 19 feet west of and parallel to the east line of said Grooms Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(12) A gas main in WEST ELIZABETH STREET westerly 41 feet from a point 155 feet east of the east line of South 5th Street, the centerline of which gas main shall be 13½ feet north of and parallel to the south line of said West Elizabeth Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(13) A gas main in LAFAYETTE AVENUE northerly 50 feet from a point 20 feet north of the north line of East 32nd Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Lafayette Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(14) A gas main in ROSEDALE AVENUE from West 46th Street northerly 45 feet, the centerline of which gas main shall be 7½ feet east of and parallel to the west line of said Rosedale Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(15) A gas main in ROSEDALE AVENUE from West 46th Street southerly 88 feet, the centerline of which gas main shall be 7½ feet east of and parallel to the west line of said Rosedale Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(16) A gas main in ROBIN HOOD TRAIL southerly 1½ blocks from a point 70 feet north of the north line of Gilbert Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Robin Hood Trail.

Said gas main described above shall have a covering of not less than 2½ feet.

(17) A gas main in STEVENSON AVENUE from Robin Hood Trail to Pecos Street, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Stevenson Avenue.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(18) A gas main in SCHULLE AVENUE from Stevenson Avenue northerly 82 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Schulle Avenue.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(19) A gas main in PECOS STREET from Stevenson Avenue southerly 133 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Pecos Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(20) A gas main in DEXTER STREET from Kinney Avenue easterly 424 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Dexter Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(21) A gas main in EAST 37TH STREET easterly 240 feet from a point 366 feet east of the east line of Red River Street, the centerline of which gas main shall be 18 feet south of and parallel to the north line of said East 37th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(22) A gas main in EAST 1ST STREET from Pleasant Valley Road westerly 83 feet, the centerline of which gas main shall be $18\frac{1}{2}$ feet north of and parallel to the south line of said East 1st Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(23) A gas main in SUMMIT STREET southerly 49 feet from a point 73 feet south of the south line of Riverside Drive, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Summit Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(24) A gas main in BLANCO STREET southerly 57 feet from a point 169 feet south of the south line of West 38th Street, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Blanco Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(25) A gas main in GRISWOLD LANE from John D. McCall Road easterly 340 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Griswold Lane.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(26) A gas main in CANTERBURY STREET from Perdenales Street westerly 204 feet, the centerline of which gas main shall be 19 feet south of and parallel to the north line of said Canterbury Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(27) A gas main in EAST 46TH STREET from Evans Street easterly 295 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said East 46th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(28) A gas main in EAST 39TH STREET from Willbert Road westerly 1/2 block, the centerline of which gas main shall be 17 feet south of and parallel to the north line of said East 39th Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(29) A gas main in WILLBERT ROAD from East 39th Street northerly 266 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Willbert Road.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(30) A gas main in EXPOSITION BOULEVARD from Cherry Street northerly 355 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Exposition Boulevard.

Said gas main described above shall have a covering of not less than 2½ feet.

(31) A gas main in WEST 45TH STREET from Marathon Boulevard easterly 100 feet, the centerline of which gas main shall be 7 feet north of and parallel to the south line of said West 45th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(32) A gas main in NORTHLOOP BOULEVARD across Woodrow Avenue intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Northloop Boulevard.

Said gas main described above shall have a covering of not less than 2½ feet.

(33) A gas main in NORTH STREET across Woodrow Avenue intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said North Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(34) A gas main in CENTER STREET across Woodrow Avenue intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Center Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(35) A gas main in WOODROW AVENUE across Northloop Boulevard intersection, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Woodrow Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Alford introduced the following resolution:

WHEREAS, Sammie Joseph, et al., is the owner of a portion of Outlot 5, Division "Z" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the southwest corner of the intersection of West Sixth Street and West Avenue within the City of Austin, Travis County, Texas, and said Sammie Joseph, et al., has made application to the City Council of the City of

Austin for permission to construct a commercial driveway across the south sidewalk area of West Sixth Street and across the west sidewalk area of West Avenue at the above described location, as shown upon the plan hereto attached marked 2-G-240, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Sammie Joseph, et al., owner of a portion of Outlet 5, Division "2" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the southwest corner of the intersection of West Sixth Street and West Avenue within the City of Austin, Travis County, Texas, is hereby permitted to construct a commercial driveway across the south sidewalk area of West Sixth Street and across the west sidewalk area of West Avenue at the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-G-240, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the supervision and direction of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced the following resolution:

WHEREAS, the Borden Company, acting by and through John Simpson, owner of Lots 4 and 5, Block 1, Outlet 72, Division "D", within the City of Austin, Travis County, Texas, which property abuts the west side of Guadalupe Street at a location north of West 29th Street and being locally known as 2912-15 Guadalupe Street, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the west sidewalk area of Guadalupe Street at the above described location, as shown upon the plan marked 2-C-511 hereto attached, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Borden Company, acting by and through John Simpson, owner of Lots 4 and 5, Block 1, Outlet 72, Division "D", within the City of Austin, Travis County, Texas, which property abuts the west side of Guadalupe Street at a location north of West 29th Street, is hereby permitted to construct a commercial driveway across the west sidewalk area of Guadalupe Street at the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-511, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin, and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford,

Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced the following resolution:

WHEREAS, the City of Austin holds an easement for construction and maintenance of a sewer line across Lots 1, 2, 3, and 4 in Block 3 of Bryker Woods "C", an addition to the City of Austin, Travis County, Texas, according to a map or plat of said addition recorded in Book 4, page 46, of the Plat Records of Travis County, Texas; and

WHEREAS, the City of Austin does not now need or desire an easement across said lots and has obtained an easement for the same purposes at another location in said Bryker Woods "C"; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed in the name of the City of Austin to release and quitclaim the sewer easement across said Lots 1, 2, 3, and 4, in Block 3 of Bryker Woods "C".

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Wolf introduced the following resolution:

WHEREAS, E. L. Steck, acting by and through H. F. Kuehne, Architect, is the owner of a portion of Lot 2, and all of Lots 3, 4, 5, 6, 7, 8, and 9, Block 1, of Fruth Addition, a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Guadalupe Street at a location north of 29th Street and which property abuts the south side of West 30th Street at a location east of Guadalupe Street; and

WHEREAS, the said E. L. Steck, owner of the above described property, has made application to the City Council of the City of Austin through H. F. Kuehne, Architect, for permission to set the curb back from the established curb line on the east side of Guadalupe Street at the above described location and to construct commercial driveways in conjunction therewith across the east sidewalk area of Guadalupe Street and to set the curb back from the established curb line on the south side of West 30th Street at the above described location and to construct a commercial driveway in conjunction therewith, all as shown upon the plan hereto attached marked 2-G-239, which plan is hereby made a part of said request and said plan has been considered and approved by the City Council of the City of Austin; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT E. L. Steck, acting by and through H. F. Kuehne, Architect, owner of a portion of Lot 2, and all of Lots 3, 4, 5, 6, 7, 8, and 9, Block 1, of Fruth Addition, a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Guadalupe Street at a location north of 29th Street and which property abuts the south side of West 30th Street at a location east of Guadalupe Street, is hereby granted permission to set the curb back from the established curb line on the east side of Guadalupe Street at the above described location and to construct commercial driveways in conjunction therewith across the east sidewalk area of Guadalupe Street and to set the curb back from the established curb line on the south side of West 30th Street at the above described location and to construct a commercial driveway in conjunction therewith.

Permission to construct the above described curb setbacks and commercial driveways is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereto attached marked 2-G-239

and made a part hereof, and in accordance with the following conditions:

(1) That the construction of the setback area on Guadalupe Street and on West 30th Street shall be carried out in accordance with the accompanying plan marked 2-G-239 and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2½ parts of sand, and 4 parts of screened gravel or rock.

(3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-G-239.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.

(7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Alford introduced the following ordinance:

AN ORDINANCE AMENDING IN THE CERTAIN PARTICULARS HEREINAFTER STATED AN ORDINANCE ENTITLED, "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES; AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT, AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY. "

The ordinance was read the first time and Councilman Alford moved that the rule be suspended and the ordinance be passed to its second reading. The motion was seconded by Councilman Wolf, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the second time and Councilman Alford moved that the rule be further suspended and the ordinance be passed to its third reading. The motion was seconded by Councilman Wolf, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the third time and Councilman Alford moved that the ordinance be finally passed. The motion was seconded by Councilman Wolf, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the ordinance had been finally passed.

Mr. LaRue Jacobs submitted an application for a permit to sell beer at 1816 San Jacinto Street.

Councilman Wolf moved that a public hearing on the proposal to change the zoning of the property on both sides of San Jacinto Street from 16th to 19th Streets from "C" Commercial District to "C-2" Commercial District be called for Thursday, July 6, 1939, at 11:00 A. M., and that the matter be referred to the Board of Adjustment for recommendation. The motion was seconded by Councilman Alford, and

the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Wolf introduced the following resolution:

WHEREAS, City of Austin taxes were assessed in the name of the Walter Wilcox Estate for the years 1934, 1935, 1936, 1937, and 1938 on personal property and Lots 1, 2, and the east 42' of Lot 3, Block 1, Outlot 11, Division "Z", Plat 103, in the City of Austin, Travis County, Texas, said taxes being in the sum of \$1,296.03; and for non-payment of said taxes at maturity, penalty in the sum of \$64.80 has been assessed, and interest in the sum of \$166.97, making a total amount of taxes, penalty and interest, \$1527.80; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$64.80, and a portion of the interest, namely, the sum of \$93.00; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$64.80, and a portion of the interest, \$93.00, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$64.80, and said portion of said interest in the sum of \$93.00, off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and the remainder of said interest, in the sum of \$73.97.

The resolution was adopted by the following vote: Ayes: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Upon motion, seconded and carried, the meeting was recessed at 11:55 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Harris McKeen
City Clerk